

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 08-5717
DMV CASE NO.: 09-0925
FINAL ORDER #: HSMV-09- 1117 -FOF-DMV

FILED
2009 JUL 23 A 10:37
DIVISION OF
ADMINISTRATIVE
HEARINGS

GALAXY POWERSPORTS, LLC d/b/a
JCL INTERNATIONAL, LLC and
KITAI POWERSPORTS, INC.,

Petitioners,

vs.

ROAD POWER USA, LLC,

Respondent.

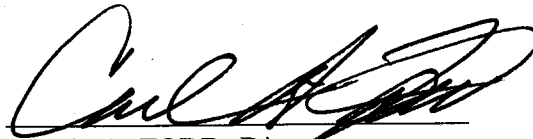
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order by, Barbara J. Staros, Administrative Law Judge of the Division of Administrative Hearings, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Recommended Order as its Final Order in this matter.

Accordingly, it is hereby

ORDERED that Petitioner's, Galaxy Powersports, LLC d/b/a JCL International, LLC and Kitai Powersports, Inc., request to establish a new dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 228 North 3rd Street, Jacksonville (Duval County), Florida 32250 is **DENIED**.

DONE AND ORDERED this 20th day of July, 2009, in Tallahassee, Leon County,
Florida.



CARL A. FORD, Director
Division of Motor Vehicles
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
Tallahassee, Florida 32399

Filed with the Clerk of the
Division of Motor Vehicles
this 20th day of July, 2009.

NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this state in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rules of Appellate Procedure.

CAF/vlg

Copies furnished:

Rustin Murray
Kitai Powersports, Inc.
400 North Pimlico Street
St. Augustine, Florida 32090

Leo Su
Galaxy Powersports LLC d/b/a
JCL International LLC
2667 Northhaven Road
Dallas, Texas 75229

Claudio Biltoc
Kitai Powersports, Inc.
143 Belmont Drive
St. Johns, Florida 32259

Pete Biltoc
Kitai Powersports, Inc.
13887 Sea Prairie Street
Jacksonville, Florida 32216

Jim Lee
Road Power USA, LLC
927 North 3rd Street
Jacksonville Beach, Florida 32250

Michael J. Alderman, Esquire
Department of Highway Safety and Motor Vehicles
Neil Kirkman Building, Room A-432
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635

Barbara J. Staros
Administrative Law Judge
Division of Administrative Hearings
The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399

Nalini Vinayak
Dealer License Administrator

Florida Administrative Law Reports
Post Office Box 385
Gainesville, Florida 32602